

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of:  
Christian Huitema et al.

Application No.: 09/955,923

Confirmation No.: 9393

Filed: September 19, 2001

Art Unit: 2142

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For: PEER-TO-PEER GROUP MANAGEMENT  
AND METHOD FOR MAINTAINING PEER-  
TO-PEER GRAPHS

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Examiner: D. B. Blair

**PETITION UNDER 37 C.F.R. § 1.47**

MS AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

1. Applicants request, pursuant to 37 C.F.R. § 1.47(a), that the other joint inventors of U.S. Patent Application Serial No. 09/955,923, make the declaration under 37 C.F.R. § 1.131, filed herewith, on behalf of them and the non-signing inventor in the absence of Xiaohai Zhang.

2. Xiaohai Zhang is a joint inventor of the subject matter that is described and claimed in U.S. Patent Application Serial No. 09/955,923 filed on September 19, 2001. The inventor's last known address is:

Xiaohai Zhang  
6404 134<sup>th</sup> Ave. NE  
Unit 384  
Redmond, WA 98052

3. Diligent effort has been made to contact Xiaohai Zhang at the above address in order to obtain his declaration. Enclosed as Exhibit A is a photocopy of the front side of an

envelope used in an attempt to obtain Xiaohai Zhang's declaration. As indicated on Exhibit A, the envelope was sent by an authorized representative of Xiaohai Zhang on August 30, 2007 via U.S. Postal Service Certified Mail numbered 7004251000370138236. The envelope was returned as "NOT DELIVERABLE AS ADDRESSED, UNABLE TO FORWARD."

Enclosed as Exhibit B is a photocopy of the Domestic Return Receipt associated with Article Number 7004251000370138236. As indicated on Exhibit B, the article was sent to Xiaohai Zhang's last known address, but returned as "ATTEMPTED NOT KNOWN" and "NOT DELIVERABLE AS ADDRESSED, UNABLE TO FORWARD."

4. The applicants ask that the Examiner accept this petition including proof of the pertinent facts surrounding the diligent effort to obtain Xiaohai Zhang's declaration under 37 C.F.R. § 1.131. The Commissioner is authorized to charge any deficiency in the amount enclosed to deposit account no. 13 2855. Please refund any overpayment to Marshall, Gerstein & Borun LLP at the address below.

Dated:\_\_\_Oct. 22, 2007\_\_\_\_\_

Respectfully submitted,

By\_\_/W. J. Kramer #46,229/\_\_\_\_\_  
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Is your **RETURN ADDRESS** completed on the reverse side?

|   |  |   |  |  |  |
|---|--|---|--|--|--|
| <p><b>SENDER:</b></p> <p>■ Complete items 1 and/or 2 for additional service.</p> <p>■ Print your name and address on the reverse of card to you.</p> <p>■ Attach this form to the front of the package or on the back if space does not permit.</p> <p>■ Write "Return Receipt Requested" on the article number.</p> <p>■ Write "Return Receipt will show to whom delivered."</p> |  | <p><b>ATTEMPTED</b></p> <p><b>NOT KNOWN</b></p> <p><b>UNABLE TO FORWARD</b></p> <p><b>UNABLE TO DELIVER</b></p> |  | <p>I also wish to receive the following services (for an extra fee):</p> <p>1. <input type="checkbox"/> Addressee's Address</p> <p>2. <input type="checkbox"/> Restricted Delivery</p> <p>Consult postmaster for fee.</p>                  |  |
| <p>3. Article Addressed to:</p> <p>Mr Xiaohai Zhang</p> <p>4604 137th Ave. N.E.</p> <p>Unit 384</p> <p>Bellevue, WA 98005-3843</p>  |  | <p>4a. Article Number</p> <p>1004 25100003 7038234</p>  |  | <p>4b. Service Type</p> <p><input type="checkbox"/> Registered</p> <p><input type="checkbox"/> Express Mail</p> <p><input checked="" type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Date of Delivery</p> |  |
| <p>5. Received by: (Print Name)</p> <p><i>[Signature]</i></p>   |  | <p>6. Signature: (Addressee or Agent)</p> <p><b>X</b></p>   |  | <p>8. Addressee's Address (Only if requested and fee is paid)</p>  |  |

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10255-98-B-0229

Domestic Return Receipt